

Dear Sir,

4/10/74

Because of morning and afternoon medical appointments, tomorrow I must over the selection of FBI records disclosed to Mark under date of 4/12/74 as soon as I get them today. I made a copy of Paragraph 11 in the "FBI Confidential Charges" section, a printed form relating to 62-109060-1538, which I recall clearly from C.A.78-0322 and the appeal response to which I do not remember ever getting. This confirms my statement that the underlying record was unclassified and not until 3/24/77 was it classified, when it was made "Top Secret." The note added states that the underlying record then also was classified. It also states that there is a full copy in Section 1 of the LHO file. So, not recalling how much checking I did in the suit I checked this file. Only by accident I went to the main assassination instead of the LHO file and had gotten into the first section of it before I realized I'd gotten the wrong file. I went through it before getting the right one. I enclose a letter to Missi based on some of what I saw again in that file and I'll enclose another page that is relevant to this matter.

The underlying record is dated 11/23/63, the day after the assassination and actually the very early morning of that day, not very long after midnight. The subject stated on this form is "dealing with conversation of transcript." Actually, this relates to the transcript of an Oswald ~~interview~~ conversation that was intercepted electronically by the CIA in Mexico City the tape of which, among other things, was flown up by Legat SA Eldon Ruid.

This is the second such record of that day and I'm wrong on the time. This IT is the transcript for which FBIHQ asked after the content was summarized in the earlier communication. All the body is withheld. This copy makes it clear that the classification was not until 1977.

The FBI's interpretation that it was not Oswald is ambiguous in the disclosed Hoover to Rowley of 11/23/63, which clearly was based on the earlier paraphrase. But has this and at the time of disclosure was interested. 62-109060-32, enclosed, is an FBIHQ followup, "Additional developments are attached." Only there is no such attachment or any reference to it in that Section. Or anywhere else that I now recall.

Whether or not related, and I think it is, the Oswald file held what does not appear to be an ONI record, signed by J.M. Barron (and I wondered if this is the Readers Digest's John), to file, hand copy to Mr. Wells, reporting that as of 11/2/59 "File of ONI contain no record of subject." This is odd on two counts: the large ONI file since has been disclosed, and imagine an ONI that had no record of his defection, of the investigation after he defected or of his getting Communist literature openly in the mails.

There is no reference to his security clearance in the paraphrase of Oswald's earlier record.

The FBI knew, as of 11/13/59, when it received the copy of the GBO's message to the Moscow embassy, that it was possible that Oswald was cleared for confidential. I think this adds importance to its 11/22/63 review of the Marines file without its reporting any clearance because its own files disclosed the possibility of his being cleared for Confidential.

Oswald's actual clearances are revealed in the records relating to the suicide of his mate Martin Schrand. On 11/29/63 FBIHQ directed its St. Louis office to search the records in the large repository there for the Schrand investigation. Of course it is possible to conjecture that the St. Louis FBI was utterly incompetent, but I do not elect this conjecture.

Adding all these things together, would you please remind me that some months ago he was going to ask a friend to obtain the post-defection investigation(s) results from the Navy. I enclose for him a marked copy of the 11/13/59 record.

Sincerely,